

23-cv-520

HIPPA

42 USC

1320D-6

Please add
Violation of HIPPA
ACT of ACCOUNTABILITY 1996

Accountability
act

EXHIBIT

1996

This is the final copy of
the Original Notice of Claim I just
found to add to complaint.

Notice of
Claim

Filed

Chang M. J



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF Niagara _____X

In the Matter of the Claim of

Charifa M. Lee _____

- against-

☐ Village ☐ Town ☒ City ☐ County of

Niagara Falls, N.Y. _____X

TO: ☐ Village ☐ Town ☒ City ☐ County of _____

NOTICE OF CLAIM

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PLEASE TAKE NOTICE that the claimant herein hereby makes claim and demand against you as follows:

1. The name and post-office address of the claimant and of his/her attorney is:

Claimant

Claimant's Attorney

Charifa M. Lee
545 Swan St #402
Buffalo, N.Y. 14201

2. The nature of the claim:

Violation of Civil Rights
Personal Injuries
Damage to Phone

* Please see two page attachment *

3. The time when, the place where and the manner in which the claim arose: The incident occurred on June 25th, 2022 at or about 3:45 a.m. ☐ p.m.,

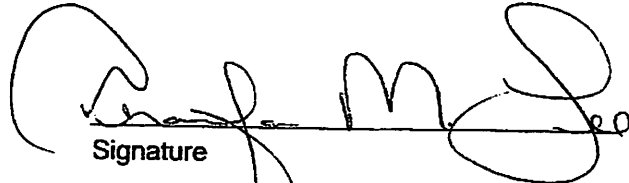
400 Bk of 9th Street Niagara Falls NY
NFPD Headquarters, 1925 Main St Niagara Falls, N.Y.
Niagara Falls Memorial Medical Center, Niagara Falls, N.Y.

4. The items of damage or injuries claimed are:

Personal Injuries
Damaged phone

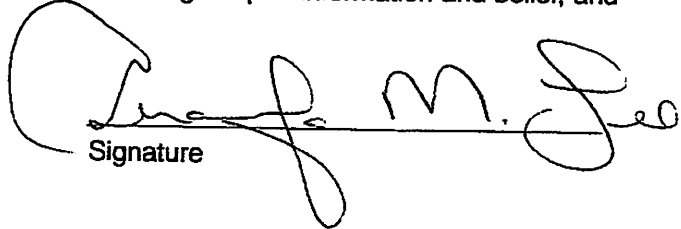
That said claim and demand is hereby presented for adjustment and payment. You are hereby notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, the claimant intends to commence an action on this claim.

08
July 21st,
Dated: June, 2022
CA 21st, New York
Niagara Falls



Signature
Charifa M. Lee
Print Name

STATE OF NEW YORK)
) ss.:
COUNTY OF Niagara)

I, Charifa M. Lee, am the Claimant in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The contents are true to my own knowledge except as to matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.


Signature

Sworn to before me on this 21st
day of July, 2022


Notary Public

LUCY R. MUTO
Lic. #01MU4989102
Notary Public-State of New York
Qualified in Niagara County
My Commission Expires 12/02/2025

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June 25th 2022

I, Charifa M. Lee, DOB 8/24/182 states that on this date several incidents occurred:

- I was walking down 9th street in Niagara Falls New York
- Police was already on the scene for an incident that I'm unaware about
- I am legally declared disabled and I am also a fall risk
- The street lights was blown on 9th St. which makes it extremely dark
- The sidewalks need repair which makes it unsafe for me to walk in the dark
- Police aggressively grabbed me and threw me against their vehicle, *threw me and dragged me*
- I asked why I was being arrested
- They said for disorderly conduct
- I asked why were they being so aggressive with me; I was not resisting
- I wasn't I read my Miranda rights
- I was transferred to Niagara Falls police station without incident; to Main Street in Niagara Falls, New York
- Within one hour I was released without paperwork
- They refuse to give me paperwork
- I was asked to sign a property sheet when I noticed that 1 of my phones were missing
- I began to write that 1 of my phones were missing on the property sheet which was snatched from me at that time by an extremely aggressive officer in the booking area
- Police aggressively told me to get out of their building
- I told them that I need medical attention from being roughed up so aggressively and also for the swelling on my wrists from the handcuffs being too tight
- My phone has a tracking device that was later tracked leaving Niagara Falls police station to a location on 3rd street, then 4th street, and then address in LaSalle area (27 Licata ave), in Niagara Falls New York, and then it was took to military rd by Olive Garden, and walked to Walmart where it was dropped off there while I was still in custody
- I retrieved it from Walmart customer service center; later on that day accompanied by my neighbor 68 yr old Rosalyn Hennings of Buffalo NY
- I was brought from Niagara Falls police station on Main Street to Niagara Falls Memorial Medical center via ambulance
- I felt very uncomfortable, uneasy, and had a weird unsettling feeling while waiting for treatment at Niagara Falls memorial medical center
- I got up and went to the nurse station to tell them I'd follow up with my own doctor
- I was approached by a very aggressive security guard who began repeatedly pushing me in my shoulders until I fell backwards and hit my head on the floor
- *He fondling my* He fondling my private parts while he was attacking me
- I was laughed at and mocked by several staff, police officers, and a security guards
- I was aggressively picked up off of the floor when I repeatedly told them that my legs were numb
- I was dragged outside of the hospital by police

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the ground,

CF

- Once outside the security guard made a sexual gesture at me while repeatedly sticking his tongue in and out; as in a licking motion as if he was performing oral sex
- I was asked by police to sit on an abandoned porch at a house next door to the hospital
- I complied
- I never was told I was trespassed
- Once I sat down I asked officers to give me an incident report
- Officers told me to wait and they would be right back
- Moments later those same officers were seen leaving the scene in their patrol cars
- I got up and proceeded to walk towards my brother's house who lives in the 500 block of 10th street which Niagara Falls memorial medical center is also on that same street
- I was aggressively approached again by the same security guard that assaulted me and sexual harassed me
- He began to follow me again so I [REDACTED] hurried up and got away from him
- I continued on in the direction towards my brother's house 524 10th st
- About a block later I was approached by police and arrested again without incident
- I was not read my Miranda rights for the second time
- I was taken to the police station and held until I saw the judge and was released from custody
- I was given a restraining order of an unknown person to me
- I went to Erie County medical center to seek medical help
- I was diagnosed with a head injury and advice to follow up with treatment because of the seriousness of the injury
- I had bruised and swelling all over my body
- I ended up going back to the ER two days later because I was in so much pain

I Charifa M. Lee, states that this statement is accurate and true.

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WEBSTER SZANYI LLP

Michael P. McClaren
Partner

August 4, 2022

By Certified Mail / Return Receipt

Charifa M. Lee, Pro Se
545 Swan Street, #402
Buffalo, New York 14204

Re: Charifa M. Lee v. City of Niagara Falls

Dear Ms. Lee:

This law firm represents the City of Niagara Falls in the above-referenced matter. I enclose a Notice of 50-h Examination that is scheduled for August 31, 2022 at 10:00 a.m. at my office. Please contact my office to confirm your attendance at the examination.

Please contact me with any questions.

Very truly yours,

Michael P. McClaren

MPM:Imd
Enclosure